

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Sara Griffin	Team: Squad #4	CCRB Case #: 201901248	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 01/30/2019 2:55 PM	Location of Incident: In front of 1058 East 216th Street	Precinct: 47	18 Mo. SOL 7/30/2020	EO SOL 3/16/2021	
Date/Time CV Reported Wed, 01/30/2019 3:45 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 02/11/2019 11:11 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Kelvin Guillen	01542	952815	047 PCT
2. POM Emmanuel Deleon	30828	952654	047 PCT
3. SGT David Welton	4691	947604	047 PCT
4. Officers			047 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Kelvin Guillen	Abuse: Police Officer Kelvin Guillen stopped the vehicle in which § 87(2)(b) was an occupant.	
B.POM Kelvin Guillen	Abuse: Police Officer Kelvin Guillen stopped the vehicle in which § 87(2)(b) was an occupant.	
C.POM Kelvin Guillen	Abuse: Police Officer Kelvin Guillen stopped the vehicle in which § 87(2)(b) was an occupant.	
D.POM Kelvin Guillen	Abuse: Police Officer Kelvin Guillen stopped the vehicle in which an individual was an occupant.	
E.POM Emmanuel Deleon	Abuse: Police Officer Emmanuel Deleon stopped the vehicle in which § 87(2)(b) was an occupant.	
F.POM Emmanuel Deleon	Abuse: Police Officer Emmanuel Deleon stopped the vehicle in which § 87(2)(b) was an occupant.	
G.POM Emmanuel Deleon	Abuse: Police Officer Emmanuel Deleon stopped the vehicle in which § 87(2)(b) was an occupant.	
H.POM Emmanuel Deleon	Abuse: Police Officer Emmanuel Deleon stopped the vehicle in which an individual was an occupant.	
I.SGT David Welton	Abuse: Sergeant David Welton stopped the vehicle in which § 87(2)(b) was an occupant.	
J.SGT David Welton	Abuse: Sergeant David Welton stopped the vehicle in which § 87(2)(b) was an occupant.	
K.SGT David Welton	Abuse: Sergeant David Welton stopped the vehicle in which § 87(2)(b) was an occupant.	
L.SGT David Welton	Abuse: Sergeant David Welton stopped the vehicle in which an individual was an occupant.	
M. Officers	Force: Officers used physical force against § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
N. Officers	Force: Officers used physical force against § 87(2)(b)	
O. Officers	Force: Officers used physical force against § 87(2)(b)	
P. Officers	Force: Officers used physical force against an individual.	
Q. Officers	Abuse: Officers searched the vehicle in which § 87(2)(b) was an occupant.	
R. Officers	Abuse: Officers searched the vehicle in which § 87(2)(b) was an occupant.	
S. Officers	Abuse: Officers searched the vehicle in which § 87(2)(b) was an occupant.	
T. Officers	Abuse: Officers searched the vehicle in which an individual was an occupant.	
U. Officers	Abuse: Officers searched § 87(2)(b)	
V. Officers	Abuse: Officers searched § 87(2)(b)	
W. Officers	Abuse: Officers searched § 87(2)(b)	
X. Officers	Abuse: Officers searched an individual.	

Case Summary

On January 30, 2019, § 87(2)(b) called IAB and filed the following complaint. On February 11, 2019, the complaint was referred to the CCRB via IAB Log # 19-4666. § 87(2)(b) filed the complaint on behalf of himself, § 87(2)(b) and an unidentified individual. § 87(2)(b) only provided mailing addresses for § 87(2)(b) and § 87(2)(b).

On February 13 and February 25, 2019, please call letters were mailed to § 87(2)(b) and § 87(2)(b).

On February 14, 2019, the undersigned investigator called § 87(2)(b) who stated he was unable to speak at the minute and agreed to call the undersigned investigator when he was available to speak. On February 25, 2019, the undersigned investigator attempted to call § 87(2)(b) but the voicemail inbox was full and no voicemail message could be left. On February 28, 2019, the undersigned investigator called § 87(2)(b) confirmed the contact information on file. § 87(2)(b) had contact information for the other victims, but did not have it on him at the time. § 87(2)(b) agreed to call the undersigned investigator with the victims' contact information. § 87(2)(b) was scheduled for an interview. § 87(2)(b) accepted text message reminders. However, § 87(2)(b) did not receive a text message reminder 48 hours before his scheduled interview due to the agency's electrical maintenance. On March 11, 2019, the undersigned investigator texted § 87(2)(b) reminding him of his interview. On March 11, 2019, § 87(2)(b) failed to appear for his interview and did not call in advance to cancel or reschedule. On March 11, 2019, a missed appointment letter was mailed to § 87(2)(b).

On March 13, 2019, the undersigned investigator attempted to call § 87(2)(b) and left a voicemail message. On March 18, 2019, the undersigned investigator called § 87(2)(b) stated he missed his interview because he was out of town. The undersigned rescheduled § 87(2)(b)'s interview. The undersigned investigator requested contact information for the additional victims. § 87(2)(b) went to retrieve their contact information and left the undersigned investigator on hold for several minutes before § 87(2)(b) disconnected the telephone call. A few minutes later, the undersigned investigator attempted to call § 87(2)(b) and left a voicemail message confirming the rescheduled interview and requesting a return call with the victims' contact information. On March 23, 2019, § 87(2)(b) received a text message reminder. On March 25, 2019, § 87(2)(b) failed to appear for his second scheduled interview and did not call in advance to cancel or reschedule.

On February 25, 2019, a Lexis Nexis search was conducted on § 87(2)(b) and identified two email addresses and three additional mailing addresses. On February 25, 2019, final please call letters were emailed and mailed to § 87(2)(b) at the two email addresses and three additional mailing addresses identified in the Lexis Nexis search. On February 28, 2019, a CLEAR search was conducted on § 87(2)(b) and identified one telephone number for § 87(2)(b). Between March 6 and March 21, 2019, the undersigned investigator attempted to call § 87(2)(b) five times at the number identified in CLEAR search. A voicemail message was left on each attempt.

On February 25, 2019, a Lexis Nexis search was conducted on § 87(2)(b) and identified six email addresses, one telephone number, and one additional mailing address. On February 25, 2019,

final please call letters were emailed and mailed to § 87(2)(b) at the six email addresses and additional mailing address identified in the Lexis Nexis search. Two emails went undelivered. On February 25, 2019, the undersigned investigator received a call from a § 87(2)(b) who had received the undersigned investigator's please call email. § 87(2)(b) did not live in New York City and denied interacting with police officers on the date of incident. Between February 26 and March 18, 2019, the undersigned investigator attempted to call § 87(2)(b) five times at the telephone number identified in the Lexis Nexis search. On each attempt, the telephone line would ring continuously and there was no option to leave a voicemail message. On February 28, 2019, a CLEAR search was conducted on § 87(2)(b) and identified four telephone numbers. On March 6, 2019, the undersigned investigator attempted to call § 87(2)(b) at the four numbers identified in the CLEAR search. Two of the numbers were out of service and voicemail messages could not be left. One of the numbers belonged to the "South Atlanta Endodontic Specialists." One of the numbers was a wrong number. Between March 13 and March 19, 2019, the undersigned investigator attempted to call § 87(2)(b) four times at the two remaining numbers identified in the CLEAR search. On each attempt, the number was not in service and a voicemail message could not be left.

On March 5, 2019, a please call letter mailed to § 87(2)(b) was returned to the CCRB by the United States Postal Service as "forward time expired return to sender § 87(2)(b) § 87(2)(b) On March 5, 2019, a final please call letter was mailed to § 87(2)(b) at the address listed on the returned please call letter, as it was a different apartment number than where the letter had originally been mailed to. On March 14, 2019, a please call letter mailed to § 87(2)(b) was returned to the CCRB by the United States Postal Service as "attempted-not known." On March 14, 2019, a please call letter mailed to § 87(2)(b) was returned to the CCRB by the United States Postal Service as "no such number." On March 19, 2019, a please call letter mailed to § 87(2)(b) was returned to the CCRB by the United States Postal Service as "no such number."

On March 18, 2019, a BADS search was conducted on § 87(2)(b) and § 87(2)(b) The search returned negative results.

A March 25, 2019 search of the Department of Corrections Inmate Locator confirmed that § 87(2)(b) and § 87(2)(b) are not incarcerated.

There is Body Worn Camera footage capturing the incident. No clear misconduct was observed. A full investigation could not be conducted with a sworn statement.

Given that § 87(2)(b) failed to cooperate with the investigation by missing two scheduled interviews, § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

As noted above, § 87(2)(b) was uncooperative with the investigation and the investigation was unable to establish contact with § 87(2)(b) and § 87(2)(b) Thus, the investigation was unable to

identify the unidentified victim involved in this complaint. § 87(2)(g)

Squad No.: _____

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date